

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:06-CV-00383**

WESTERN SURETY COMPANY,)
)
 Plaintiff,)
)
 v.)
)
 BECK ELECTRIC COMPANY, INC.,)
 JAMES E. BECKER, JENNA PAGAN,)
 ENRIQUE PAGAN, FRANK LOTH and)
 RACHAEL LOTH,)
)
 Defendants.)
 _____)

ORDER

THIS MATTER IS BEFORE THE COURT on the “Proposed Discovery Plan” (Document No. 27), filed November 30, 2006 by Plaintiff Western Surety Company (“Western Surety”), and Jenna and Enrique Pagan’s (“the Pagans”), “...Response to the Court’s ...Order” (Document No. 28), filed December 1, 2006, pursuant to the Court’s “Order” (Document No. 23) of November 16, 2006. This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. §636(b) and is now ripe for review.

Western Surety and the Pagans, through counsel, conferred for the purpose of discussing the appropriate discovery to be taken by Western Surety with respect to the Pagans’ contacts with North Carolina. The parties were unable to agree upon a proposed consent discovery order. The Court, having considered the proposed discovery orders submitted by each party, now enters its own limited discovery scheduling order.

IT IS, THEREFORE, ORDERED:

1. Western Surety shall serve no more than fifteen (15) written interrogatories and no more than ten (10) requests for production of documents to Jenna Pagan. Western Surety shall serve no more than fifteen (15) written interrogatories and no more than ten (10) requests for production of documents to Enrique Pagan.

2. Western Surety shall serve the written discovery described in Paragraph 1 on or before **December 12, 2006**. Jenna Pagan and Enrique Pagan each shall have **thirty (30) days** after service of Western Surety's written discovery to serve written responses thereto, and to produce documents requested pursuant to Western Surety's requests for production.

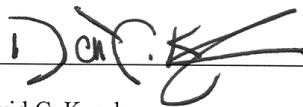
3. Western Surety's written discovery requests, and the Pagans' responses thereto, shall be served in accordance with, and shall be governed by the Federal Rules of Civil Procedure.

4. Western Surety's interrogatories and requests for production of documents shall be limited to matters concerning the Pagans' contacts with the State of North Carolina.

5. Western Surety shall have until **February 2, 2007** to file and serve its response to the Pagans' "...Motion to Dismiss for Lack of Personal Jurisdiction..." (Document No. 20).

SO ORDERED.

Signed: December 5, 2006



David C. Keesler
United States Magistrate Judge

